

Applicants: Robert J. Winchester, et al.
Serial No.: 09/773,876
Filed : January 31, 2001
Page 6

REMARKS

Applicants respectfully comply with the Examiner's Communication and submit a Sequence Listing attached hereto as **Exhibit B** in compliance with the requirements of §1.821-1.825. In addition, applicants submit herewith the Sequence Listing on the enclosed computer diskette. Moreover, applicants submit as **Exhibit C** a Statement In Accordance With 37 C.F.R. §1.821(f) certifying that the computer readable form and paper copy are the same and that no new matter has been added.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fees are required, authorization is hereby given to charge the amount of such fees to Deposit Account No: 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Alan J. Morrison
Reg. No. 37,399

12/31/03
Date

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Registration No. 28,678
Alan J. Morrison
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UNITED STATES DEPARTMENT OF COMMERCE JPW

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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122003

DATE MAILED:

DEC 10 2003

DOCKET OF

Please find below and/or attached an Office communication concerning this application or proceeding.

Response Due: 1/4/04
MPL

Commissioner for Patents

The reply filed 9/29/2003 is not fully responsive to the Office communication mailed 8/22/2003 for the reason(s) set forth below or on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

The sequence listing in paper form and CRF lack mandatory sections <150> and <151> listing the parent applications to which priority is claimed in page 1 of the specification. See 37 CFR 1.823.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

PRIMARY EXAMINER

GROUP 1200 1600



Application No.: 09/773876

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed communication

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

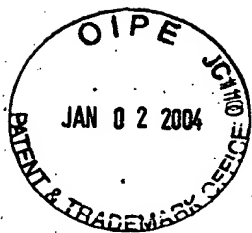
For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE



SEQUENCE LISTING

<110> Winchester, Robert J.
Seki, Tetsunori
Gulko, Percio Saltz

<120> USE OF INHIBITORS OF THE ACTIVATION OF CXCR4 RECEPTOR BY SDF-1 IN
TREATING RHEUMATOID ARTHRITIS

<130> 0575/57005-A-PCT-US

<140> 09/773,876

<141> 2001-01-31

<150> PCT/US99/17178

<151> 1999-07-29

<150> US 09/127,651

<151> 1998-07-31

<160> 16

<170> PatentIn version 3.1

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<212> PRT

<213> Mouse

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Gln Gly Arg Ile Pro Tyr Pro Arg Pro Gly Thr Cys Pro Gly Gly Ala
35 40 45

Phe Thr Pro Asn Met Arg Thr Thr Lys Asp Phe Pro Asp Asp Val Val
50 55 60

Thr Phe Ile Arg Asn His Pro Leu Met Tyr Asn Ser Ile Ser Pro Ile
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Lys Ile Ala Val Asp
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<212> PRT
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Gly Pro Phe Ala His Lys Glu Gly Pro Asn His Gln Leu Ile Ser Tyr
20 25 30

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35 40 45

Leu Thr Pro Asn Met Arg Thr Thr Lys Glu Phe Pro Asp Asp Val Val
50 55 60

Thr Phe Ile Arg Asn His Pro Leu Met Tyr Asn Ser Ile Tyr Pro Ile
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Lys Ile Ala Val Asp
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35 40 45

Phe Thr Pro Ser Met Lys Ser Thr Lys Asp Tyr Pro Asp Glu Val Ile
50 55 60

Asn Phe Met Arg Ser His Pro Leu Met Tyr Gln Ala Val Tyr Pro Leu
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35 40 45

Phe Gly Thr Phe Ser Ser Thr Lys Asp Phe Pro Asp Asp Val Ile Gln
50 55 60

Phe Ala Arg Asn His Pro Leu Met Tyr Asn Ser Val Leu Pro Thr Gly
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Gln Gly Arg Val Pro Tyr Pro Arg Pro Gly Thr Cys Pro Ser Lys Thr
35 40 45

Phe Gly Gly Phe Asp Ser Thr Lys Asp Leu Pro Asp Asp Val Ile Thr
50 55 60

Phe Ala Arg Ser His Pro Ala Met Tyr Asn Pro Val Phe Pro Met Asn
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Ile Val Val Asp
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<213> K09C4

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35 40 45

Asn Asp Val His Ile Ser Phe Thr Asp Leu Leu His Arg Arg Arg Leu
50 55 60

Gln Thr Leu Gln Ser Val Asp Glu Gly Ile Glu Arg Leu Phe Asn Leu
65 70 75 80

Leu Arg Glu Leu Asn Gln Leu Trp Asn Thr Tyr Ala Ile Tyr Thr Ser
85 90 95

Asp His Gly Tyr His Leu Gly Gln Phe Gly Leu Leu Lys Gly Lys Asn
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<213> ts99

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35 40 45

Leu Pro Ile His Met Glu Phe Thr Asn Ile Leu Gln Arg Lys Arg Leu
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Gln Thr Leu Met Ser Val Asp Asp Ser Val Glu Arg Leu Tyr Asn Met
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85 90 95

Asp His Gly Tyr His Ile Gly Gln Phe Gly Leu Val Lys Gly Lys Ser
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His Gly Thr Asn Lys His Trp Leu Ile Arg Gln Ala Lys Thr Pro Met
35 40 45

Thr Asn Ser Ser Ile Gln Phe Leu Asp Asn Ala Phe Arg Lys Arg Trp
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Gln Thr Leu Leu Ser Val Asp Asp Leu Val Glu Lys Leu Val Lys Arg
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Leu Glu Phe Thr Gly Glu Leu Asn Asn Thr Tyr Ile Phe Tyr Thr Ser
85 90 95

Asp Asn Gly Tyr His Thr Gly Gln Phe Ser Leu Pro Ile Asp Lys Arg
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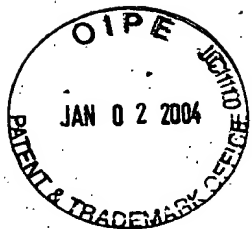
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<400> 16

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12



Docket No. 57005-A-PCT-US/JPW/AJM/DNS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert J. Winchester, et al.
Serial No. : 09/773,876 Examiner: Ron Schwadron
Filed : January 31, 2001 Group Art Unit: 1644
For : USE OF INHIBITORS OF THE ACTIVATION OF CXCR4
RECEPTOR BY SDF-1 IN TREATING RHEUMATOID
ARTHRITIS

1185 Avenue of the Americas
New York, New York 10036
December 31, 2003

Mail Stop: Sequence

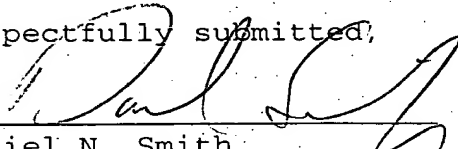
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

STATEMENT IN ACCORDANCE WITH 37 C.F.R. §1.821(f)

Pursuant to 37 C.F.R. §1.821(f), I hereby certify that the contents of the Sequence Listing submitted herewith as **Exhibit B** and the contents of the computer-readable form submitted in connection with the above-identified application are the same, and include no new matter.

I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,


Daniel N. Smith
c/o Cooper and Dunham LLP
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New York, New York 10036
(212) 278-0400